

Message Text

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PAGE 01 STATE 123461
ORIGIN EB-08

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DRAFTED BY EB/OA/AVP:GGGRIFFITHS:JG
APPROVED BY EB/OA:MHSTYLES
EB/OA/AVP:AJWHITE
EUR/NE:DGOODMAN

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P 152133Z MAY 78
FM SECSTATE WASHDC
TO AMEMBASSY LONDON PRIORITY

UNCLAS STATE 123461

E.O. 11652: N/A

TAGS: EAIR, UK

SUBJECT: CIVAIR: WAIVER OF CHARTERWORTHINESS RULES

REF: LONDON 07476

1. DEPARTMENT HAS RECEIVED LETTER FROM BRITISH EMBASSY
CONTAINING UK COMMENTS ON RECENT CAB DECISION TO GRANT
BLANKET WAIVERS TO CHARTER OPERATORS. TEXT OF LETTER
FOLLOWS:

BEGIN TEXT:

I HAVE BEEN ASKED TO CONVEY MY GOVERNMENT'S COMMENTS ON
THE DECISION TAKEN BY THE CIVIL AERONAUTICS BOARD AT ITS
OPEN MEETING ON 19 APRIL TO GRANT BLANKET WAIVERS TO
CHARTER OPERATORS. THESE COMMENTS ARE IN RELATION TO THE
SEVEN TYPES OF WAIVER AS DESCRIBED IN THE CIVIL AERO-
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NAUTICS BOARD'S PRESS RELEASE REFERENCE 78-77. IT IS
OUR UNDERSTANDING THAT THIS WILL BE THE BASIS FOR A FORMAL
BOARD ORDER.

THE COMMENTS ARE AS FOLLOWS:

(A) THE UNITED KINGDOM IS NOT PREPARED TO GRANT A

BLANKET WAIVER ALLOWING CHARTER OPERATORS WHO CANCEL FLIGHTS TO PLACE THEIR PASSENGERS ON SCHEDULED SERVICE AT CHARTER RATES. THE DEPARTMENT OF TRADE AND THE CIVIL AVIATION AUTHORITY ARE HOWEVER PREPARED TO CONSIDER APPLICATIONS BY ANY AIRLINES FOR INDIVIDUAL WAIVERS ON A NON-DISCRIMINATORY BASIS. THE CRITERIA ON WHICH SUCH WAIVERS ARE TO BE GRANTED WILL BE PROMULGATED TO ALL CONCERNED WITHIN THE NEXT FEW DAYS. IT IS, OF COURSE, A CONDITION OF ALL AIRLINE OPERATING PERMITS ISSUED BY THE DEPARTMENT OF TRADE TO US SCHEDULED OPERATORS THAT TARIFFS ON AGREED SERVICES TO UNITED KINGDOM TERRITORY MUST BE FILED WITH AND APPROVED BY THE UK CIVIL AVIATION AUTHORITY. IT FOLLOWS THEREFORE, THAT ANY AIRLINE WHICH DID NOT SEEK PERMISSION FOR THE CARRIAGE OF CHARTER PASSENGERS ON SCHEDULED SERVICES AT CHARTER RATES WOULD BE IN BREACH OF ITS AIRLINE OPERATING PERMIT.

(B) APART FROM THIS, THE UK IN GENERAL HAS NO DIFFICULTY WITH THE BOARD'S PROPOSALS, PROVIDED THAT THE CONDITIONS IN THE REVISED ARTICLE 14 AND ANNEX 4 OF BERMUDA 2 ARE FULLY COMPLIED WITH. IN PARTICULAR, IN RELATION TO THE CONVERSION OF EMPTY SEATS ON ITCS AND OTCS TO ABCS, THE UNITED KINGDOM HAS NO OBJECTION PROVIDED THAT THE REQUIREMENTS OF THE VARIOUS CATEGORIES OF CHARTERS SET OUT IN PARAGRAPH (1)(C) OF ANNEX 4 OF BERMUDA 2 ARE COMPLIED WITH. WE HAVE BEEN GIVEN TO UNDERSTAND THAT,
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JUST AS THE CAB WILL NOT ALLOW ONE-WAY TICKETING ON ABCS TO THE UNITED KINGDOM, NEITHER WILL IT ALLOW ONE-WAY TICKETING ON "CONVERTED ABCS".

YOURS SINCERELY,
A. R. GORDON-CUMMING

END TEXT.

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Message Attributes

Automatic Decaptioning: X
Capture Date: 01 jan 1994
Channel Indicators: n/a
Current Classification: UNCLASSIFIED
Concepts: RULES, TEXT, SUPPLEMENTAL AIRLINES, AIR ROUTE APPLICATIONS, DIPLOMATIC COMMUNICATIONS
Control Number: n/a
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Draft Date: 15 may 1978
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Decaption Note:
Disposition Action: n/a
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Litigation Codes:
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Secure: OPEN
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